

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

IN RE:  
Ernest William Vidal, III  
Margarita Jimenez Vidal

CASENO: 16-51560 G

Debtors

**TRUSTEE'S OBJECTION TO CONFIRMATION OF  
DEBTORS' CHAPTER 13 PLAN**

NOW COMES, Mary K. Viegelahn, Chapter 13 Trustee in the above captioned case, and files this Objection to Confirmation of Debtors' Chapter 13 Plan. In support thereof, the Trustee would show the Court the following:

1. On July 07, 2016, the above named Debtors filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division.
2. The Chapter 13 meeting of creditors pursuant to 11 U.S.C. § 341(a) ("341 meeting") was concluded on **August 03, 2016**.
3. Schedule B lists personal property described as "postal service retirement account" with an unknown value. The Trustee requests the Debtors amend Schedule B to include the fair market value as the amount of the retirement account is ascertainable. Further, Schedule I includes income of \$2,957.24 for federal employee's compensation; however, based upon the documentation provided, the Debtor's gross income is \$3,278.00 with deduction of \$381.00. The Trustee questions if the deduction is for medical insurance and/or federal tax withholdings and requests clarification as to the deduction. The Trustee questions if the compensation is subject to taxation as the Debtor's testimony at the 341 meeting of creditors was that he is not withholding any funds for payment of taxes.
4. The Trustee cannot recommend Confirmation for all the reasons stated above and reserves her right to amend her objection to Confirmation.

**WHEREFORE, PREMISES CONSIDERED**, the Trustee requests that, the Court deny confirmation of the Debtor(s)' Chapter 13 plan as it fails to meet the requirements set forth in 11 U.S.C. §§ 1325(a)(1), (a)(3) and 521(a)(1), (a)(3), dismiss Debtor(s)' Chapter 13 case; and for such other relief as the Court find just and equitable.

Date: August 15, 2016

/S/

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JESSICA L. HANZLIK TSN: 24055661  
STAFF ATTORNEY FOR THE CHAPTER 13 TRUSTEE  
jhanzlik@sach13.com  
10500 Heritage Blvd, Ste. 201  
San Antonio, TX 78216  
(210) 824-1460 fax: (210) 824-1328

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

IN RE:

CHAPTER 13

**Ernest William Vidal, III  
Margarita Jimenez Vidal**

DEBTOR(S)

CASE NO.: **16-51560 G**

**CERTIFICATE OF SERVICE**  
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I hereby certify that a true and correct copy of the attached document was served on **August 16, 2016** by First Class Mail, upon the following:

Debtor(s):

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Ernest William Vidal, III  
Margarita Jimenez Vidal  
PO Box 701  
Charlette, TX 78011

Attorney For Debtor(s)  
MALAISE LAW FIRM  
909 NE LOOP 410 STE 300  
SAN ANTONIO, TX 78209

Afni, Inc.  
Attn: DP Recovery Support  
PO Box 3427  
Bloomington, IL 61702

Alamo Federal Credit Union  
c/o Blalack & Williams, PC  
5550 LBJ Freeway, Ste. 400  
Dallas, TX 75240

Anderson Vela LLP  
8111 LBJ Freeway, Ste. 1501  
Dallas, TX 75251

Atascosa County Appraisal District  
PO Box 139  
Poteet, TX 78065

Attorney General of the US  
Department of Justice  
950 Pennsylvania Ave. NW  
Washington, DC 20530

Barrett, Daffin Frappier  
Turner & Engel, LLP  
15000 Surveyor Blvd, Ste 100  
Addison, TX 75001

Charlotte ISD  
c/o Linebarger Goggan Blair & Sampson  
711 Navarro, Ste. 300  
San Antonio, TX 78205

Conns  
Attention: Heather McAdams  
PO Box 2358  
Beaumont, TX 77704

Credit Management  
4200 International Pwy  
Carrollton, TX 75007

INTERNAL REVENUE SERVICE  
P O BOX 7346  
CORRESPONDENCE ONLY  
PHILADELPHIA, PA 19101-7346

LINEBARGER GOGGAN BLAIR &  
SAMPSON LLP  
ATTN: DON STECKER  
711 NAVARRO #300  
SAN ANTONIO, TX 78205

Midland Funding LLC  
c/o American InfoSource LP  
P.O. Box 4457  
Houston, TX 77210

NCO  
PO Box 790113  
St. Louis, MO 63149

Nco Fin/33  
9009 Corporate Lake Dr  
Tampa, FL 33634

RICHARD E. ANDERSON  
4920 WESTPORT DRIVE  
THE COLONY, TX 75056

Sarma Collections  
555 E. Ramsey Rd  
San Antonio, TX 78216

Southwest General Hospital  
P.O. Box 846395  
Dallas, TX 75284

Synchrony Bank  
P.O. Box 965064  
Orlando, FL 32896-5064

TLC Pet Hospital  
11403 O'Connor Rd, #114  
San Antonio, TX 78233

US Attorney's Office  
601 NW Loop 410, Ste 600  
San Antonio, TX 78216

US Bank Trust National Association  
c/o SN Servicing Corporation  
323 Fifth St.  
Eureka, CA 95501

VA Regional Office  
Office of District Counsel  
2515 Murworth Drive  
Houston, TX 77054

Western Shamrock Corporation  
Attention: Bankruptcy  
801 S Abe St  
San Angelo, TX 76903

/S/

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JESSICA L. HANZLIK